



# USDLA

UNITED STATES DISTANCE LEARNING ASSOCIATION

---

**FACSIMILE TRANSMITTAL SHEET**

---

TO:	Rcnata B. Hesse	FROM:	John G. Flores, Ph.D., Executive Director
FAX NUMBER:	202.307.1454	DATE:	January 22, 2002
COMPANY:	Antitrust Dept. US Dept. of Justice	TOTAL NO. OF PAGES INCLUDING COVER:	3
PHONE NUMBER:		SENDER'S FAX NUMBER:	781.453.2389
RE:	The Microsoft Settlement	SENDER'S PHONE NUMBER:	800.275.5162

---

☐ URGENT    ☐ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

NOTES/COMMENTS:

---

140 GOULD STREET, SUITE 200B • NEEDHAM, MA 02494  
PHONE: 800.275.5162 • FAX: 781.453.2389

MTC-00031764\_0001



January 22, 2002

Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

**Re: The Microsoft Settlement**

I am writing to you today on behalf of the United States Distance Learning Association (USDLA). Our mission is to provide national leadership in the field of distance learning, specifically to:

- Advocate and promote the use of distance learning;
- Provide current information on distance learning;
- Represent the distance learning community before government policy and regulatory bodies;
- Serve and support the state, consortium and individual organizations that belong to USDLA;
- Provide annual recognition and awards of outstanding achievements in distance learning;
- Serve as a catalyst for the formation of partnerships among education, business, healthcare, and government;
- Achieve a global leadership role through liaisons with international organizations;
- Promote equity and access to lifelong learning through distance learning; and,
- Promote diversity in our organization and its programs.

I approach the issue of Microsoft's anti-competitive nature from the perspective of one whose goal it is to expand learning and allow anyone, anywhere, regardless of his or her computer system, to participate in the educational system. Hence, openness and supporting methods to competition are extremely important goals. If a potential distance learner has software that, for whatever reason, makes it impossible to

Telephone: 800.275.5162

Website: [www.usdla.org](http://www.usdla.org)

140 Gould Street, Suite 200 B • Needham, MA 02494

communicate with other, more "popular" software, he or she will be shut out from the learning network.

Accordingly, the USDLA supports the remedies that will maximize consumer choice, foster competition and promote interoperability of software products with multiple operating systems, such as the following:

- Microsoft should offer a basic version of Windows to personal computer makers – one that is unencumbered with Microsoft "add-ons." For example, this basic version would make optional any Internet access software, media players, or email applications.
- The software code for Internet Explorer should be made available to other software developers, preventing Microsoft from monopolizing Internet access.
- Some means, such as the suggested auctioning of licenses, should be developed to allow competitors to produce versions of the Office software suite to run on non-Microsoft operating systems. In addition, interoperability should be enhanced by the inclusion of "middleware" in Microsoft's Windows XP operating system.

The USDLA supports Massachusetts Attorney General Tom Reilly in his efforts to restore competition in the PC operating system market and curb Microsoft's unlawful practices. As the Attorney General states in a recent article in the Boston Globe: "The Microsoft case always has been about simple, American principles: opportunity, competition, and fair play. Our economy is built on those principles. The future of high technology in Massachusetts demands that we fight for them."

Similarly, we must fight to preserve the right to lifelong learning for all Americans. Doing so requires that we reject the Microsoft settlement as it stands and seek a more effective and enforceable agreement.

Sincerely,



Dr. John G. Flores  
Executive Director

[jflores@usdla.org](mailto:jflores@usdla.org)